

REMARKS

In response to the Office Action mailed from the U.S.P.T.O. on December 2, 2004, (Part of Paper No./Mail Date 20041124) Applicants respectfully request reconsideration based on the above claim amendment and the following remarks. Applicants believe that no new matter has been introduced by way of this Response, and Applicants respectfully submit that the claims as presented are in condition for allowance.

Please enter the following amendment in which claim 31 is amended. Upon entry of this Response, claims 1-18, 22-26, and 28-32 are now pending in the present application. Reconsideration and allowance of the application and presently pending claims, as amended, are respectfully requested. Other statements not explicitly addressed herein are not admitted.

Examiner Interview

Applicants first wish to express their sincere appreciation for the time that Examiner Tieu spent with Applicants' representatives Jeffrey Kuester and Eric Ringer during a January 18, 2005 telephone discussion regarding the above-identified Office Action.

During the interview, claim 31 and U.S. Pat. No. 5,329,578 were discussed. No agreement regarding possible amendments to claim 31 was reached. In addition, Examiner Tieu cited U.S. Pat. No. 5,802,160 as disclosing "a plurality of routing lists." Again, Applicants wish to thank Examiner Tieu for his time and consideration.

Allowable Claims

Applicants first wish to express their sincere appreciation for the Examiner's indication that pending claims 1 – 18, 22 – 26, 28 – 30, and 32 are allowed.

Rejections of Claim 31 Under 35 U.S.C. §102(b)

The Office Action rejects claim 31 under 35 U.S.C. §102(b) as being anticipated by Brennan *et. al.* (U.S. Patent No. 5,329,578). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 31 recites:

33. A method for routing a call based on the identity of an originating source of said call, comprising the steps of:

- maintaining a plurality of routing lists, each of said routing lists being associated with at least one originating source and each routing list comprising a plurality of directory numbers;
- receiving said call from said originating source;
- selecting a routing list associated with said originating source from said plurality of routing lists; and
- directing said call sequentially to the directory numbers on said routing list.***

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988).

Applicant respectfully submits that independent claim 31 as amended is allowable for at least the reason that *Brennan* does not disclose, teach, or suggest at least **directing said call sequentially to the directory numbers on said routing list**. *Brennan* discloses that if “the CLID matches that of a caller on the subscriber’s Caller List 26 ..., any special treatment is determined from the Caller List (see Table 1.0).” *See Brennan*, col. 11, lines 42-45. Table 1.0 in *Brennan* provides a single forwarding number for each CLID. *See Brennan*, col. 5, Table 1.0. *Brennan* only discloses directing a call to a single number associated with a CLID. Therefore, *Brennan* cannot disclose directing a call **sequentially** to numbers on a routing list. Notwithstanding, no such teaching can be identified anywhere within this reference. Therefore, *Brennan* does not anticipate claim 31, and the rejection should be withdrawn.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-18, 22-26, and 28-32 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. R. Kuester', with a stylized flourish at the end.

Jeffrey R. Kuester, Reg. No.: 34,367

THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500